UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

CAPMARK FINANCIAL GROUP INC.;
SUMMIT CREST VENTURES, LLC; CAPMARK
CAPITAL LLC (f/k/a CAPMARK CAPITAL
INC.); CAPMARK FINANCE LLC (f/k/a
CAPMARK FINANCE INC.); COMMERCIAL
EQUITY INVESTMENTS LLC (f/k/a
COMMERCIAL EQUITY INVESTMENTS,
INC.); MORTGAGE INVESTMENTS, LLC; NET
LEASE ACQUISITION LLC; SJM CAP, LLC;
CAPMARK AFFORDABLE EQUITY
HOLDINGS LLC (f/k/a CAPMARK
AFFORDABLE EQUITY HOLDINGS INC.);
CAPMARK REO HOLDING LLC; and
CAPMARK INVESTMENTS LP,

Case No. 11-CIV-7511 (RWS)

Plaintiffs,

V.

GOLDMAN SACHS CREDIT PARTNERS L.P.; GOLDMAN SACHS CANADA CREDIT PARTNERS CO.; GOLDMAN SACHS MORTGAGE COMPANY; and GOLDMAN SACHS LENDING PARTNERS LLC,

Defendants.

----- »

NOTICE OF THE GOLDMAN LENDERS' MOTION TO TRANSFER THE ACTION TO THE DISTRICT OF DELAWARE PURSUANT TO 28 U.S.C. § 1412

PLEASE TAKE NOTICE that the undersigned, attorneys for Defendants Goldman Sachs Credit Partners L.P., Goldman Sachs Canada Credit Partners Co., Goldman Sachs Mortgage Company, and Goldman Sachs Lending Partners LLC (collectively, the "Goldman Lenders"), will move this Court before the Honorable Judge Robert Sweet, United States District Judge for the Southern District of New York, 500 Pearl Street, New York, New York 10007, at a date and

District Court for the District of Delaware, pursuant to 28 U.S.C. § 1412. The grounds for this motion are set forth in the accompanying Memorandum of Law in Support of the Goldman Lenders' Motion to Transfer the Action to the District of Delaware Pursuant to 28 U.S.C. § 1412 and accompanying Declaration of Benjamin S. Kaminetzky and exhibits thereto.

PLEASE TAKE FURTHER NOTICE that, pursuant to the agreement of the parties so ordered by this Court on November 15, 2011, any opposition papers in response to this motion shall be served upon the undersigned counsel on or before December 22, 2011, and any reply papers shall be served upon Plaintiffs' counsel on or before January 13, 2012.

Dated: November 30, 2011 Respectfully submitted,

DAVIS POLK & WARDWELL LLP

By: /s/ Benjamin S. Kaminetzky

Marshall S. Huebner Benjamin S. Kaminetzky Andrew D. Schlichter Hilary A.E. Dengel

Molly S. McDonnell 450 Lexington Avenue

New York, New York 10017

Telephone: (212) 450-4000 Facsimile: (212) 701-5800

ben.kaminetzky@davispolk.com

Attorneys for Defendants Goldman Sachs Credit Partners L.P., Goldman Sachs Canada Credit Partners Co., Goldman Sachs Mortgage Company, and Goldman Sachs Lending Partners LLC